

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Appling	Art Unit:	2173
Serial No.:	09/747,366	Examiner:	Bonshock, Dennis G.
Filed:	December 22, 2000		

For: **UPDATING OBJECTS CONTAINED WITHIN A WEBPAGE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF ATTORNEY MICHAEL S. PAVENTO

Sir:

I, Michael S. Pavento, hereby declare that:

1. I was responsible for filing U.S. Patent Application No. 09/747,366 ("the '366 application") on behalf of Automated Logic Corporation when I was an associate at the law firm of Sutherland Asbill and Brennan, LLP.

2. Automated Logic Corporation transferred its patent work to Sutherland Asbill and Brennan, LLP from another law firm sometime in mid-November 2000. An early draft of what became the '366 application and at least one other draft patent application were provided to me by the other law firm. I was responsible for working with the applicable inventors to revise and finalize the draft patent applications and file them with the United States Patent and Trademark Office.

3. As demonstrated by the records attached hereto as Exhibit A and Exhibit B, I worked diligently to revise at least two draft patent applications for Automated Logic Corporation from a time at least prior to November 21, 2000 until the filing of the '366 application on December 22, 2000.

4. Exhibit A contains billing records relating to the at least two draft patent applications that I revised and filed for Automated Logic Corporation, which was designated in the Sutherland Asbill and Brennan, LLP billing system by the client number "15555."

5. The billing records contained in Exhibit A are accurate.

6. The billing records contained in Exhibit A indicate the specific days on which I revised the at least two draft patent applications for Automated Logic Corporation during the time period of November 15, 2000 to December 22, 2000. These billing records include a narrative of the work performed on each work day and the amount of my time billed for the work that I performed on those days.

7. In the billing records contained in Exhibit A, the at least two draft patent applications that I revised for Automated Logic Corporations are generally referred to as the "first patent application" and the "second patent application." In the entries for December 3, 2000 and December 8, 2000, those draft patent applications are referred to more specifically as the "Color Palette" patent application and the "IFRAME" patent application.

8. The "IFRAME" patent application was given the formal title of "Updating Objects Contained Within a Webpage." That application was filed with the U.S. Patent and Trademark Office on December 22, 2000 and was assigned U.S. Patent Application Serial No. 09/747,366, thus becoming the '366 application.

9. The "Color Palette" patent application was given the formal title of "Dynamic Color Manipulation of an Image File." That application was filed with the U.S. Patent and Trademark Office on January 24, 2001 and was assigned U.S. Patent Application Serial No. 09/768,390 ("the '390 application").

10. The billing records contained in Exhibit A, demonstrate that I worked diligently to revise and file both the '366 application and the '390 application from at least November 15, 2000 until December 22, 2000.

11. Exhibit B contains copies of correspondence dated December 11, 2000 and December 22, 2000 from me to the named inventor of the '366 application, Stephen Appling.

12. To preserve the confidentiality of communications with counsel and prevent waiver of the attorney-client privilege, I understand that portions of the correspondence of Exhibit B have been redacted to provide no more information than is necessary to establish

diligence from a date prior to November 21, 2000 until the filing of the '366 application on December 22, 2000.

13. In the correspondence of Exhibit B, the '366 application is referred to as the "IFRAME" application. That correspondence corroborates that the named inventor of the '366 application was involved in the revision process.

14. Accordingly, as demonstrated by the billing records of Exhibit A and the correspondence of Exhibit B, I diligently pursued the preparation and revision of the '366 application, with the assistance of the named inventor, from a date prior to November 21, 2000 until the actual filing of the '366 application on December 22, 2000.

15. I declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true, and further that the statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the '366 application or any patent issuing thereon.


Michael S. Pavento

5/2/07
Date

EXHIBIT A

Index	Matter	Tkeeper	Date_Worked	Hours_Worked	Rate_Worked	Amt_Worked	Activity	Batch_No.	W_Period
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10438647	1	revie patent application prepared by Jones &							
10438648	2	Askew							
6037313	15555-0000	60 3661	11/15/2000	.50	205.00	102.50		54378	1100
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10438650	2	Jones & Askew							
6037320	15555-0000	60 3661	11/20/2000	2.50	205.00	512.50		54378	1100
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10438659	1	revise 1st patent application received from							
10438660	2	Jones & Askew							
6037321	15555-0000	60 3661	11/20/2000	2.50	205.00	512.50		54378	1100
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10438661	1	revise 2nd patent application received from							
10438662	2	Jones & Askew							
6037324	15555-0000	60 3661	11/21/2000	2.00	205.00	410.00		54378	1100
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10438667	1	revise 2nd patent application received from							
10438668	2	Jones & Askew							
6037325	15555-0000	60 3661	11/27/2000	3.50	205.00	717.50		54378	1100
	B	Y	12/11/2000	3.50	205.00	717.50	FEES	246817	1200
10438669	1	revise 1st patent application received from							
10438670	2	Jones & Askew							
6037326	15555-0000	60 3661	11/27/2000	3.50	205.00	717.50		54378	1100
	B	Y	12/11/2000	3.50	205.00	717.50	FEES	246817	1200
10438671	1	revise 2nd patent application received from							
10438672	2	Jones & Askew							
6037329	15555-0000	60 3661	11/28/2000	4.50	205.00	922.50		54378	1100
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10438676	1	revise 1st patent application received from							
10438677	2	Jones & Askew							
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10438678	1	revise 2nd patent application received from							
10438679	2	Jones & Askew							
6037334	15555-0000	60 3661	11/29/2000	6.50	205.00	1332.50		54378	1100
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10438686	1	revise 1st patent application received from							
10438687	2	Jones & Askew							
6037339	15555-0000	60 3661	11/30/2000	6.00	205.00	1230.00		54378	1100
	B	Y	12/11/2000	6.00	205.00	1230.00	FEES	246817	1200
10438694	1	revise 1st patent application received from							
10438695	2	Jones & Askew							
6075706	15555-0000	60 3661	12/01/2000	5.50	205.00	1127.50		54820	1200
	B	Y	01/16/2001	5.50	205.00	1127.50	FEES	249120	0101
10518966	1	revise 1st patent application; review ALC files							
10518967	2	received from Kilpatrick Stockton;							
10518968	3	correspondence with Mr. Craton re: status of							
10518969	4	ALC matters.							
6075709	15555-0000	60 3661	12/03/2000	.50	205.00	102.50		54820	1200

Index	Matter	TKeeper	Date_Worked	Hours_Worked	Rate_Worked	Amt_Worked	Activity	Batch_No.	W_Period
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10518973	1	Review "Color Palette" patent application							
10518974	2	prepared by Jones & Askew							
6075721	15555-0017	60 3661	12/08/2000	9.00	230.00	2070.00		54820	1200
	B Y		03/29/2001	9.00	230.00	2070.00	FEES	252687	0301
10518999	1	revise IFRAME patent application							
6075723	15555-0017	60 3661	12/11/2000	6.50	230.00	1495.00		54820	1200
	B Y		03/29/2001	6.50	230.00	1495.00	FEES	252687	0301
10519001	1	Revise patent application received from Jones &							
10519002	2	Askew							
6075736	15555-0018	60 3661	12/13/2000	1.00	230.00	230.00		54820	1200
	B Y		03/29/2001	1.00	230.00	230.00	FEES	252687	0301
10519025	1	prepare and file response to Notice of Missing							
10519026	2	Parts							
6075751	15555-0017	60 3661	12/22/2000	3.50	230.00	805.00		54820	1200
	B Y		03/29/2001	3.50	230.00	805.00	FEES	252687	0301
10519050	1	finalize and file patent application							
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	B Y		01/16/2001	1.50	205.00	307.50	FEES	249120	0101
10519051	1	finalize and file patent application							
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6167044	15555-0017	60 3661	12/08/2000	-9.00	230.00	-2070.00		54820	1200
	B X		02/22/2001	-9.00	230.00	-2070.00	FEES	249896	0201
6167045	15555-0017	60 3661	12/11/2000	6.50	230.00	1495.00		54820	1200
	B R		01/26/2001	6.50	230.00	1495.00	FEES	249896	0101
6167046	15555-0017	60 3661	12/11/2000	-6.50	230.00	-1495.00		54820	1200
	B X		02/22/2001	-6.50	230.00	-1495.00	FEES	249896	0201
6167047	15555-0017	60 3661	12/22/2000	3.50	230.00	805.00		54820	1200
	B R		01/26/2001	3.50	230.00	805.00	FEES	249896	0101
6167048	15555-0017	60 3661	12/22/2000	-3.50	230.00	-805.00		54820	1200
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6167049	15555-0018	60 3661	12/13/2000	1.00	230.00	230.00		54820	1200
	B R		01/26/2001	1.00	230.00	230.00	FEES	249897	0101
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	B R		02/22/2001	9.00	230.00	2070.00	FEES	251700	0201
6232614	15555-0017	60 3661	12/08/2000	-9.00	230.00	-2070.00		54820	1200
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	B R		02/22/2001	3.50	230.00	805.00	FEES	251700	0201
6232618	15555-0017	60 3661	12/22/2000	-3.50	230.00	-805.00		54820	1200
	B X		03/29/2001	-3.50	230.00	-805.00	FEES	251700	0301
6232619	15555-0018	60 3661	12/13/2000	1.00	230.00	230.00		54820	1200
	B R		02/22/2001	1.00	230.00	230.00	FEES	251701	0201
6232620	15555-0018	60 3661	12/13/2000	-1.00	230.00	-230.00		54820	1200

Index	Matter		TKeeper	Date_Worked	Hours_Worked	Rate_Worked	Amt_Worked	Activity	Batch_No.	W_Period
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Totals:					63.00		13415.00			
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34 Records Selected

Index	Matter	TKeeper	Date_Worked	Hours_Worked	Rate_Worked	Amt_Worked	Activity	Batch_No.	W_Period
	Status	Pr_Flag	Date_Billed	Hours_Billed	Rate_Billed	Amt_Billed	Ledger	Invoice_No.	I_Period

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WHERE CONDITION: (timecard.tmatter MATCHES '15555*' AND timecard.ttk = '3661' AND timecard.tworkdt BETWEEN '11/01/200
: 0' AND '12/31/2000')
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EXHIBIT B

From: Michael Pavento
To: sappling@automatedlogic.com
Date: Mon, Dec 11, 2000 8:05 PM
Subject: IFRAME

Steve,

Sorry I didn't send the revised IFRAME application to you last Friday as I had hoped. The application and its five figures are attached, all in WORD format. Also attached is a redline draft in WORD format. As with the last application, my changes were pretty significant and the redline may be more of a headache than its worth.

The formal papers for the IFRAME and applications are ready to be delivered to you as soon as you tell me the IFRAME application is ok. The formal papers are needed to complete the filing of the applications with the patent office.

The application doesn't seem like it needs too much work. I'll try to send that one to you for a last review ASAP.

-Mike Pavento
404.853.8422

Sutherland, Asbill & Brennan, LLP
999 Peachtree Street, NE
Atlanta, GA 30309
404.853.8000
Fax: 404.853.8806
www.sablaw.com

CC: ecraton@automatedlogic.com; Warren, Daniel J.

From: Michael Pavento
To: "sapling@automatedlogic.com".GWIA.SAB
Date: Fri, Dec 22, 2000 11:04 AM
Subject: Final IFRAME app.

Steve,

Attached is the final draft (I hope) of the IFRAME application. I revised the application per your comments and I added a few more claims at the end of the application.

A redline version is also attached so that you can see exactly what I've changed. I also attached the correct FIG. 1 so you can take a look at it.

Please call me as soon as you are finished looking over the final draft. I'd like to file the application today along with the application (we'll worry about getting your signature on formal documents later.)

If you have time, we could also discuss the application today. If not, we can wrap that one up next week (or when you return to the office from the Holidays.)

Mike Pavento
404.853.8422

Sutherland, Asbill & Brennan, LLP
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Atlanta, GA 30309
404.853.8000
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www.sablaw.com

CC: ecraton@automatedlogic.com

From: <sappling@automatedlogic.com>
To: "Michael Pavento" <Mspavento@SABLAW.COM>
Date: Fri, Dec 22, 2000 12:36 PM
Subject: Re: Final IFRAME app.

Two comments - both in areas where you deleted something.

Bottom of page 6 - because you removed the line containing "... a Java servlet is used..." the next sentence shouldn't contain "also" but should start "As is known in the art...".

Similar problem at the bottom of page 9 - since we removed the description of an embodiment using delta values we should also remove the word "Alternate" at the start of the last sentence.

Rest of it looks great.

Thanks for your help. Hope you have a great Holiday!